

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jean Paul Lozada	Team: Squad #2	CCRB Case #: 202004038	<input checked="" type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday 06/04/2020 11:20 PM	18 Mo. SOL 12-04-2021	EO SOL 05-04-2022	Location of Incident: ████ Eastern Parkway		Precinct: 71
Date/Time CV Reported Fri, 06/05/2020 7:56 PM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Fri, 06/05/2020 7:56 PM		

Complainant/Victim	Type	Home Address
1. █████ B████	Comp/Victim	██
2. H████ B████	Victim	██
3. D████ B████	Comp/Victim	██
4. Individuals	Victim	Unknown
5. K████ D████	Comp/Victim	██
6. An individual	Victim	Unknown
7. J████ M████████	Comp/Witness	██
8. L████ F████	Comp/Witness	██
9. S████ G████	Victim	██
10. J████ K████████	Comp/Witness	██
11. N████ B████	Comp/Witness	Unknown

Witness(es)	Home Address
1. L████ J████	██
2. D████ H████	██
3. J████ W████	██
4. K████ N████	██
5. A████ B████	██
6. A████ B████	██
7. N████ B████	██
8. S████ H████	██
9. G████ B████	██
10. L████ T████	██
11. P████ D████	██
12. C████████████████	██
13. J████ K████	██

Subject Officer(s)	Shield	TaxID	Command
1. Officers			
2. An officer			
3. POM M████ R████	████	████	████
4. POM R████ S████	████	████	████
5. POM T████ O████	████	████	████
6. POM Clifford Scanlon	06416	961253	071 PCT
7. POM C████████ R████	████	████	████

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. SGT J █ K █	█	█	█
2. POF B █ De █	█	█	█
3. POM A █ E █	█	█	█
4. POM A █ T █	█	█	█
5. POM M █ R █	█	█	█
6. POM J █ C █	█	█	█
7. POM M █ C █	█	█	█
8. POM A █ B █	█	█	█
9. POM S █ R █	█	█	█
10. POM C █ D █	█	█	█
11. POM E █ R █	█	█	█
12. POF V █ B █	█	█	█
13. POM D █ P █	█	█	█
14. SGT G █ C █	█	█	█
15. POM R █ D █	█	█	█
16. POM R █ A █	█	█	█
17. POM A █ D █	█	█	█
18. DTS F █ P █	█	█	█
19. POM D █ T █	█	█	█
20. POF S █ G █	█	█	█
21. POM R █ B █	█	█	█
22. SGT M █ C █	█	█	█
23. POM M █ H █	█	█	█
24. POM J █ L █	█	█	█
25. POM M █ M █	█	█	█
26. DT3 P █ M █	█	█	█
27. LT N █ Y █	█	█	█
28. POM A █ K █	█	█	█
29. POM J █ S █	█	█	█

Officer(s)	Allegation	Investigator Recommendation
A . Officers	Force: Officers used physical force against █ B █	A . Closed - Pending Litigation
B . Officers	Force: Officers hit D █ B █ against a wall.	B . Closed - Pending Litigation
C . Officers	Force: Officers used physical force against D █ B █	C . Closed - Pending Litigation
D . Officers	Force: Officers struck D █ B █ with nightsticks.	D . Closed - Pending Litigation
E . An officer	Force: An officer pulled D █ B █ hair.	E . Closed - Pending Litigation
F . An officer	Force: An officer used a chokehold against D █ B █	F . Closed - Pending Litigation
G . An officer	Force: An officer restricted D █ B █ breathing.	G . Closed - Pending Litigation
H . POM Clifford Scanlon	Force: Police Officer Clifford Scanlon used physical force against H █ B █	H . Closed - Pending Litigation
I . Officers	Force: Officers used physical force against H █ B █	I . Closed - Pending Litigation
J . An officer	Force: An officer used a chokehold against H █ B █	J . Closed - Pending Litigation
K . An officer	Force: An officer restricted H █ B █ breathing.	K . Closed - Pending Litigation
L . An officer	Force: An officer hit H █ B █ against a vehicle.	L . Closed - Pending Litigation

Officer(s)	Allegation	Investigator Recommendation
M . An officer	Abuse of Authority: An officer seized H ■■■ B ■■■ property.	M . Closed - Pending Litigation
N . An officer	Force: An officer hit K ■■■ D ■■■ against a doorframe.	N . Closed - Pending Litigation
O . Officers	Force: Officers used a chokehold against K ■■■ D ■■■	O . Closed - Pending Litigation
P . Officers	Force: Officers restricted K ■■■ D ■■■ breathing.	P . Closed - Pending Litigation
Q . Officers	Force: Officers used physical force against K ■■■ D ■■■	Q . Closed - Pending Litigation
R . An officer	Offensive Language: An officer made remarks to K ■■■ D ■■■ based upon race.	R . Closed - Pending Litigation
S . POM M ■■■ R ■■■	Force: Police Officer M ■■■ R ■■■ used physical force against S ■■■ G ■■■	S . Closed - Pending Litigation
T . POM T ■■■ C ■■■	Force: Police Officer T ■■■ C ■■■ used physical force against S ■■■ G ■■■	T . Closed - Pending Litigation
U . POM Christophe R ■■■	Force: Police Officer C ■■■ R ■■■ struck An individual with a nightstick.	U . Closed - Pending Litigation
V . An officer	Force: An officer used pepper spray against an individual.	V . Closed - Pending Litigation
W . An officer	Abuse of Authority: An officer interfered with An individual's use of a recording device.	W . Closed - Pending Litigation
X . Officers	Force: Officers used physical force against individuals.	X . Closed - Pending Litigation
Y . An officer	Abuse of Authority: An officer entered an unknown apartment at ■■■ Eastern Parkway in Brooklyn.	Y . Closed - Pending Litigation
Z . Officers	Discourtesy: Officers acted discourteously toward individuals.	Z . Closed - Pending Litigation
AA. Officers	Discourtesy: Officers spoke discourteously to Individuals.	AA. Closed - Pending Litigation
AB. Officers	Abuse of Authority: Officers threatened to arrest Individuals.	AB. Closed - Pending Litigation
AC. POM R ■■■ S ■■■	Force: Police Officer R ■■■ S ■■■ used physical force against Individuals.	AC. Closed - Pending Litigation

Case Summary

On June 8, 2020, [REDACTED] B [REDACTED] filed this complaint on behalf of herself and her sons, D [REDACTED] and H [REDACTED] B [REDACTED] with the CCRB via its website. Complaints regarding the same incident were also received from complainant/victims D [REDACTED] B [REDACTED] (online) and K [REDACTED] D [REDACTED] (online), and from complainant/witnesses L [REDACTED] F [REDACTED] (online), J [REDACTED] K [REDACTED] (online), J [REDACTED] M [REDACTED] (online), and N [REDACTED] B [REDACTED] (via IAB).

L [REDACTED] F [REDACTED] was interviewed on June 15, 2020, and J [REDACTED] K [REDACTED] as interviewed on June 17, 2020. In his interview, Mr. F [REDACTED] described witnessing the arrest of an individual later identified as S [REDACTED] G [REDACTED]. He also stated that a woman who remains unidentified had been pepper sprayed. Ms. K [REDACTED] did not witness any FADO allegations but heard the commotion from her apartment and watched the incident on the Citizen app.

On June 12, 2020, a call was made to T [REDACTED] B [REDACTED] who scheduled a telephone interview appointment for June 18, 2020 and said she would consult her attorney prior to her interview appointment. On June 18, 2020, two calls were made to Ms. B [REDACTED] for her scheduled interview appointment, and voicemails were left on both calls. Between June 22, 2020 and July 17, 2020, four more calls were made to Ms. B [REDACTED] and voicemails were left on each call. E-mails were successfully sent to Ms. B [REDACTED] on June 18, 2020, June 26, 2020, and July 7, 2020. To date, Ms. B [REDACTED] has not contacted the CCRB to reschedule her interview appointment.

On June 18, 2020, a call was made to K [REDACTED] D [REDACTED] and a voicemail was left. On June 22, 2020, a second call was made to Mr. D [REDACTED] and a voicemail was left. On June 22, 2020, a second call was made to Mr. D [REDACTED] who said he did not wish to provide a statement before consulting Ms. B [REDACTED] about how to proceed. On June 25, 2020, a third call was made to Mr. D [REDACTED] who said he had not yet spoken to Ms. B [REDACTED]. On July 1, 2020, a fourth call was made to Mr. D [REDACTED] who scheduled an interview appointment for July 2, 2020. On July 2, 2020, two calls were made to Mr. D [REDACTED] for his scheduled interview appointment, and voicemails were left on both calls. E-mails were successfully sent to Mr. D [REDACTED] on June 23, 2020, July 2, 2020, and July 16, 2020. To date, Mr. D [REDACTED] has not contacted the CCRB to reschedule his interview appointment.

On June 22, 2020, a call was made to Mr. G [REDACTED] who indicated that he was participating in a lawsuit regarding this incident, but the call dropped prematurely. Immediately thereafter, another call was made to Mr. G [REDACTED] and a voicemail was left. On June 26, 2020, a call was made to Mr. G [REDACTED] and the respondent appeared to disengage the call as soon as the undersigned asked to speak to Mr. G [REDACTED]. On July 10, 2020, a call was made to Mr. G [REDACTED] and a voicemail was left. Later that day, a call was received from Mr. G [REDACTED] who disengaged the call as soon as the undersigned identified himself. On July 16, 2020, a call was made to Mr. G [REDACTED] and a voicemail was left. On July 17, 2020, a call was made to Mr. G [REDACTED] who again disengaged the call as soon as the undersigned identified himself. E-mails were successfully sent to Mr. G [REDACTED] on July 1, 2020, July 10, 2020, and July 17, 2020. To date, Mr. G [REDACTED] has not contacted the CCRB to schedule an interview appointment.

On June 22, 2020, a call was made to D [REDACTED] B [REDACTED] who said his attorney told him to not discuss the incident with the CCRB.

On June 23, 2020, a call was made to H [REDACTED] B [REDACTED] who refused to provide any information and said to speak to his attorney, but he did not have any contact information for his attorney.

On June 24, 2020, a call was made to N [REDACTED] B [REDACTED] who refused to provide any information

because she was participating in a lawsuit regarding this incident. Ms. B [REDACTED] refused to identify her attorney.

Between June 12, 2020 and June 26, 2020, five calls were made to Ms. M [REDACTED]. A voicemail was left on one call, and the voice mailbox was full on the four remaining calls. E-mails were successfully sent to Ms. M [REDACTED] on June 18, 2020, June 26, 2020, and July 7, 2020. To date, Ms. M [REDACTED] has not responded to any of these contact attempts.

Due to the COVID-19 pandemic, letters were unable to be mailed to the aforementioned individuals. On July 17, 2020, a search of the NYC Department of Correction Inmate Lookup Service revealed no record of Ms. B [REDACTED] Mr. D [REDACTED] Mr. G [REDACTED] or Ms. M [REDACTED] being incarcerated.

A Freedom of Information Law request to the Office of the New York City Comptroller revealed that [REDACTED] B [REDACTED] D [REDACTED] B [REDACTED] and H [REDACTED] B [REDACTED] each filed a notice of claim regarding this incident seeking \$5 million as redress. They are each represented by the firm Rubenstein & Rynecki, Esqs. On July 10, 2020, Senior Investigative Manager Alexander Opoku-Agyemang discussed this case with Deputy Chief of Investigations Dane Buchanan and Executive Director Jonathan Darche. As per their discussion, and in light of the contact attempts outlined above, it is recommended that this case be **Closed – Pending Litigation**.

Squad No.: 02

Investigator: SI Jean-Paul Lozada SI Jean-Paul Lozada 07/17/2020
Signature Print Title & Name Date

Squad Leader: Alexander Opoku-Agyemang IM Alexander Opoku-Agyemang 7/20/2020
Signature Print Title & Name Date

Reviewer: _____
Signature Print Title & Name Date